

JONES DAY

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APPLICATION GRANTED
SO ORDERED 

VERNON S. BRODERICK
U.S.D.J. 10/15/2024

The Clerk of Court is respectfully directed to
terminate the open motions at Docs. 37 and 42.

VIA ECF

October 11, 2024

Hon. Vernon S. Broderick
United States District Court
Southern District of New York
Thurgood Marshall United States
Courthouse
40 Foley Square, Room 415
New York, NY 10007

Re: *Skillz Platform Inc. v. Voodoo SAS, et al.*, No. 1:24-cv-04991—Response to
October 4, 2024 Order (ECF No. 49)

Dear Judge Broderick:

We write in response to the Court's October 4, 2024 Order (ECF No. 49) directing Defendants to file a letter advising whether their pending Motion to Dismiss (ECF No. 37) should be deemed moot or evaluated in light of the facts alleged in Plaintiff's First Amended Complaint filed on October 2, 2024 (ECF No. 48).

Defendants hereby confirm that they intend to file a new Motion to Dismiss the First Amended Complaint. Accordingly, Defendants respectfully request that the Court deem Defendants' prior Motion (ECF No. 37) moot without prejudice to refile a new motion pursuant to Federal Rule of Civil Procedure 15(a)(3). Defendants will file the Motion to Dismiss on or before the October 16, 2024 deadline to do so. At that time, Defendants will also file a renewed Letter Motion to Stay Discovery pending resolution of the Motion to Dismiss.

Respectfully submitted,

/s/ *Harold K. Gordon*

Harold K. Gordon